

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DONALD AGEE, JR., an individual, *et al.*,

Plaintiffs,

v.

JOCELYN BENSON, in her official capacity as the Secretary of State of Michigan, *et al.*;

Defendants.

Case No. 1:22-cv-00272

**Three-Judge Panel Appointed  
Pursuant to 28 U.S.C. § 2284(a)**

**STIPULATION OF VOLUNTARY DISMISSAL  
OF APPEAL TO THE U.S. SUPREME COURT**

On January 4, 2024, the Michigan Independent Citizens Redistricting Commission and its members in their official capacities (collectively, the “Commission”) filed a notice of appeal to the U.S. Supreme Court from this Court’s December 21, 2023 Opinion and Order. ECF No. 144; ECF No. 131; *see* 28 U.S.C. § 1253. On the Commission’s application, Justice Kavanaugh extended the deadline for the Commission to docket the appeal in the Supreme Court to May 3, 2024. ECF No. 166; *see* Sup. Ct. R. 18.3. No such appeal has been docketed. On or about April 25, 2024, the Commission and the plaintiffs in this matter (“Plaintiffs”) reached an agreement settling certain aspects of this case, including issues related to Plaintiffs’ claim for attorneys and expert fees and costs under 42 U.S.C. § 1988. In that settlement, the Commission agreed to dismiss the pending appeal commenced on January 4.

Accordingly, pursuant to U.S. Supreme Court Rule 18.5, the Commission and Plaintiffs, by counsel, hereby stipulate to the voluntary dismissal of the Commission's pending appeal to the Supreme Court of the United States.

Respectfully submitted this 3rd day of May, 2024.

/s/ John J. Bursch (with permission)

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